

SENATE BILL REPORT

SB 6668

As Reported By Senate Committee On:
Government Operations & Elections, February 07, 2008

Title: An act relating to the annexation of territory within a code city.

Brief Description: Addressing the annexation of territory within a code city.

Sponsors: Senators Pflug and Fairley.

Brief History:

Committee Activity: Government Operations & Elections: 2/05/08, 2/07/08 [DPS, w/oRec].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: That Substitute Senate Bill No. 6668 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fairley, Chair; Oemig, Vice Chair; Kline, McDermott and Pridemore.

Minority Report: That it be referred without recommendation.

Signed by Senators Roach, Ranking Minority Member; Benton.

Staff: Khalia Gibson (786-7460)

Background: Washington has three forms of county-level governments: commission form, consolidated city-county, and home rule charter. A home rule charter allows for powers of initiative and referendum. County powers, authority, and the duties of county officials vest in the county legislative authority, unless expressly assigned to a specific officer in the home rule charter. Six counties operate with a home rule charter: Clallam, King, Pierce, Snohomish, Whatcom, and San Juan.

The Growth Management Act (GMA) includes numerous requirements relating to the use or development of land in urban and rural areas. Among other requirements, counties that fully plan under the GMA must designate urban growth areas (UGAs) or areas within which urban growth must be encouraged and outside of which growth can occur only if it is not urban in nature. The UGA provisions of the GMA expressly indicate that cities and counties have discretion in their comprehensive plans to make many choices about accommodating growth.

Summary of Bill: The bill as referred to committee was not considered.

SUMMARY OF BILL (Recommended Substitute): If zoning of an unincorporated territory is changed by the county to allow for residential development or more dense residential

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development, the territory is automatically annexed to the surrounding city and the city must zone the annexed territory to allow the minimum of six dwelling units per acre.

The act only applies to an unincorporated territory, which has no residents, that is located in a home charter rule county with a population of over one million; is entirely surrounded by an incorporated city; and is not part of the UGA of the surrounding city.

The original bill allowed the legislative body of a code city to annex territory to a city if there is unincorporated territory within the city which contains less than two hundred acres, and at least eighty percent of the boundaries of the area are contiguous to the code city.

The territory may be any size, so long as it is residential property which has at least eighty percent of its boundaries contiguous to the code city if the area to be annexed existed before June 30, 1994.

EFFECT OF CHANGES MADE BY GOVERNMENT OPERATIONS & ELECTIONS COMMITTEE (Recommended Substitute): Provides for automatic annexation of unincorporated territories whose zoning is changed.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Staff Summary of Public Testimony on Recommended Substitute: PRO: This is a true compromise bill that is reasonable. King County will not commit to annexation, and this bill would allow for local control.

CON: This bill deals with the rural area in Maple Valley which would meet the criteria set forth by this bill. King County currently has one unit zoning, and the area in Maple Valley is currently residentially zoned; the area would automatically convert from rural to urban. The bill short circuits procedures that are currently in place. Overall, King County has concerns about the process that the bill proposes.

Persons Testifying: PRO: Anthony Hemstad, City of Maple Valley.

CON: Harry Reinert, King County.